

C. FAQs by Creditors

C-1. How do I determine whether I am listed as a creditor in a specific case? [03/16/2006]

If you received the "Notice of Commencement of Case," then your name is listed on the creditor matrix filed by the debtor at the commencement of the case. You are also welcome to utilize WebPacer to download the matrix or to review the schedules filed by the debtor. You may also come to **any** the divisional office of the Bankruptcy Court ~~in which the case is pending~~ in order to access ~~our database, either by using~~ (free of charge) the computer systems available in the public area, ~~or view the file to determine whether you are listed as a creditor.~~ If actual staff assistance is required to obtain information which is not readily available **electronically**, a **\$26.00** search fee per case must be assessed.

C-2. A person or entity has filed for bankruptcy and owes me money. What can I do? [03/16/2006]

In order to receive a distribution from a Chapter 7 or Chapter 13 bankruptcy estate, you must file a *"proof of claim"* **and supporting documentation** with the Court. A proof of claim is a written statement setting forth the amount and basis for a creditor's claim against a debtor.

In a Chapter 7 case, the filing of a proof of claim is not necessary until such time as a notification is issued by the Court that assets will be available for distribution. If this happens, the Court will notify all creditors listed on the creditor matrix of the deadline for filing claims and will provide a [Proof of Claim](#) form with that notice.

In Chapter 12 and Chapter 13 cases, the deadline for filing proofs of claim and the [Proof of Claim](#) form are published in conjunction with the *"Notice of Commencement of Case"* which is issued to all creditors listed in the creditor matrix at the beginning of the case.

In a Chapter 11 case, the necessity to file a proof of claim is determined by how a particular claim is characterized in the debtor's schedules.

Any questions regarding your claim should be directed to your legal advisor. If you need a [Proof of Claim](#) form, you may download the form from this web site, obtain a free copy at any divisional office of the Bankruptcy Court or purchase one from any office supply retailer.

C-3. How many copies of a proof of claim do I need to file? [03/16/2006]

If you mail the claim to the Court and ~~The original plus one copy of the claim must be filed with the Bankruptcy Clerk. If you wish to have a file-stamped copy returned to you, you will need to provide an additional copy of the claim and a stamped, self-addressed envelope if filed by mail.~~

Debtors filing in person at a divisional office do not need any additional copies. They will be scanning the claim at the front counter and the scanner will print a file stamped copy of the front page of each scanned claim.

Claims from creditors represented by an attorney are filed electronically by the attorney using the Court's Electronic Case File (ECF) system.

Most corporate creditors (those who file many claims with the Court) usually also have access to the Court's ECF system and thus file their claims electronically.

C-4. What is the current fee for filing a Motion for Relief from Automatic Stay?
[03/16/2006]

According to the current [schedule of fees](#), the filing fee is \$150.00

C-5. What is an Unsecured Priority Claim? [03/16/2006]

Certain types of unsecured claims are given priority under the bankruptcy laws and are entitled to payment prior to any payment on most other unsecured claims (if there is sufficient money or property available to pay such claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically granted priority status by the bankruptcy laws are classified as unsecured nonpriority claims. However, a claim may be divided into different portions which are then classified differently. For example, priority status is awarded to certain types of unsecured claims only up to a designated maximum amount. If a claim amount exceeds the statutory maximum amount which is entitled to priority status, then the claim is divided and a portion equivalent to the maximum amount is granted priority status and the remaining amount of the claim is properly classified as an unsecured nonpriority (or general unsecured) claim.

Creditors with **further** questions are encouraged to consult a qualified bankruptcy attorney. Federal law prohibits members of the Bankruptcy Clerk's staff from providing legal advice or answering any legal questions ~~regarding any case or matter currently before the Court.~~

C-6. What is the National Creditor Registration Service? [03/16/2006]

The National Creditor Registration Service (NCRS) is a free service provided by the U.S. Bankruptcy Courts to give creditors options to specify a preferred U.S. mail, e-mail address, or fax number to which bankruptcy notices should be sent.

The Preferred Address service supports the amendment to title 11 U.S.C. § 342(f) of the bankruptcy act of 2005, along with the pending amendment to Bankruptcy Rule 2002(g)(4), both of which permit a creditor to specify a preferred mailing address to be used by all the bankruptcy courts or by particular bankruptcy courts for providing notices. To register to receive all your bankruptcy notices at a single address, simply complete our registration wizard located on our website under Rules.

C-7. How can I receive notices electronically from the Court? [03/16/2006]

There are two ways to receive notices from the Court; on paper or electronically. Paper is slowest by far as notices are printed and mailed from Virginia; it can take four or five days (and sometimes longer) for you to receive notice by mail.

The Electronic Bankruptcy Noticing (EBN) program supports Federal Rule of Bankruptcy Procedure 9036 which allows court notices to be transmitted electronically to notice recipients, delivering them far faster and more conveniently than mailed paper notices.

You may choose to receive bankruptcy notices via Internet e-mail or transmitted as a fax to your office. This electronic noticing can provide notices to you days faster than the usual U.S. Postal Service (USPS). This service is designed for organizations that typically receive between 20 and 200 bankruptcy notices in a month.

Organizations that routinely receive more than 200 notices monthly should consider signing up for the Court's existing Electronic Data Interchange (EDI) service. Noticing data transmitted via Electronic Data Interchange (EDI) is automatically sent to a user-defined electronic destination in lieu of paper notices. EDI bankruptcy notices are delivered days faster than the USPS mail. In addition, the EDI information can be processed by computer, providing the capability for automated processing of bankruptcy noticing information at a fraction of the cost of manual methods.

There is a special Electronic Bankruptcy Noticing web site at www.ebnuscourts.com for detailed information about this new free electronic noticing service. The site also includes the "Electronic Noticing Implementation Guide" and a "Electronic Bankruptcy Noticing Questions and Answers". An "Electronic Bankruptcy Noticing Agreement" must be signed and returned to the BNC to initiate this service. This Agreement is also required both for e-mail and fax service.

Your participation in this free electronic bankruptcy noticing program is encouraged, since it offers many benefits to you and the Court. If you choose not to participate, you will continue to receive printed bankruptcy notices in the mail, just as has been done for many years.

For complete electronic noticing information, visit the electronic noticing web site at www.ebnuscourts.com or call the BNC toll-free at 1-877-837-3424 for free technical support. There are also links to the BNC and to the EBN web site on the Court's own web site at www.txeb.uscourts.gov.